

4/27/00



Atty Dkt No. PP0926.105
2300-0926.04
PATENT

REQUEST FOR FILING CONTINUATION/DIVISIONAL APPLICATION

Box Patent Application
Assistant Commissioner for Patents
Washington, D.C. 20231



☒ "Express Mail" Mailing Label No. EL 457 531 948 US Date of Deposit April 26, 2000
I hereby certify that this paper or fee is being deposited with the United States Postal Service
"Express Mail Post Office to Addressee" service under 37 C.F.R. 1.10 on the date indicated above
and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

Patricia K. Himes
(Typed or Printed Name of Person Mailing Paper or Fee)

Patricia K. Himes
(Signature of Person Mailing Paper or Fee)

Sir:

This is a request for filing a X continuation ___ divisional application under 37 C.F.R. 1.53(b)(1), of pending prior application serial no. 08/462,641 filed June 5, 1995 of James S. HUSTON, L.L. HOUSTON, David B. RING and Hermann OPPERMANN for BIOSYNTHETIC BINDING PROTEINS FOR IMMUNO-TARGETING.

1. X Enclosed is an application filed under 37 C.F.R. 1.53(b)(1). No new matter has been added.
2. ___ verified statement(s) of small entity status filed in prior application serial no. filed on .
3. X The filing fee is calculated below (based on enclosed Preliminary Amendment):

A.	Basic Application Fee		\$690
B.	Total Claims 9 - 20 = 0	x \$18	0
C.	Independent Claims 3 - 3 = 0	x \$78	0
D.	If multiple claims present, add	\$260	0
E.	Total Application Fee (Total of A, B, C & D)	=	<u>690</u>
F.	If small entity status is claimed, reduce Total Application Fee by 50%		<u>0</u>
G.	Total Fee Due (E - F)	=	690

4. X The Commissioner is hereby authorized to charge any fees under 37 C.F.R. §§ 1.16 and 1.17 which may be required by this paper, or to credit any overpayment, to Deposit Account No. 18-1648.
5. X A check to cover the \$ 690 application fee is attached.
6. Cancel in this application original claims of the prior application before calculating the filing fee.
7. X The inventors of the invention being claimed in this application are: James S. HUSTON, L.L. HOUSTON, David B. RING and Hermann OPPERMANN.
8. This application is being filed by less than all the inventors named in the prior application. In accordance with 37 C.F.R. 1.53(b)(1), the Commissioner is requested to delete the name(s) of the following person or persons who are not inventors of the invention being claimed in this application: .
9. X Amend the specification as follows:
On page 1, delete lines 7-9 and insert therefor: This application is a continuation of U.S. Patent Application Serial No. 08/462,641 filed June 5, 1995, which is a continuation of U.S. Patent Application Serial No. 08/133,804 filed October 7, 1993, which is a continuation-in-part of U.S. Patent Application Serial No. 07/831,967 filed February 6, 1992, from which applications priority is claimed pursuant to 35 U.S.C. §120 and which applications are incorporated herein by reference in their entireties.--
10. X The prior application is assigned of record to Chiron Corporation and Creative BioMolecules, Inc.
11. X A preliminary amendment is enclosed.
12. X Also enclosed: copy of Petition for Extension of Time in parent case, Blanket Petition for Extension of Time and Authorization to Charge or Credit Deposit Account, copy of Revocation of Power of Attorney and New Power of Attorney signed by Chiron Corporation, copy of Revocation of Power of Attorney and New Power of Attorney signed by Creative BioMolecules, Inc.
13. X The power of attorney in the prior application is to Robert P. Blackburn, Reg. No. 30,447, Alisa A. Harbin, Reg. No. 33,895, Joseph H. Guth, Reg. No. 31,261, Charlene A. Launer, Reg. No. 33,035, David P. Lentini, Reg. No. 33,944, Kimberlin L. Morley, Reg. No. 35,391, Roberta L. Robins, Reg. No. 33,208, Dahna S. Pasternak, Reg. No. 41,411, Vandana Date, Reg. No. 38,675 and Gary R. Fabian, Ph.D., Reg. No. 33, 875.
- a. The power appears in the original papers in the prior application.
- b. X Since the power does not appear in the original papers, a copy of the power in the prior application is enclosed.
- c. Recognize the following individuals as Associate Attorneys: .

d. X Address all future communications to Joseph H. Guth, Esq. at:

X CHIRON CORPORATION
Intellectual Property - R440
P.O. Box 8097
Emeryville, CA 94662-8097
Telephone: (510) 923-3888
Facsimile: (510) 655-3542.

26 April 2000
(date)

Gary R. Fabian
(Attorney of Record)
Gary R. Fabian, Ph.D.
Reg. No. 33,875

Address of signator:

 inventor(s)
 assignee of complete interest
X attorney or agent of record

 filed under § 1.34(a)

Atty Dkt 0926.006
2300-0926.02
PATENT



I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on April 26, 2000.

4/26/00
Date

Gril Wadswell
Signature

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

James S. HUSTON et al.

Serial No.: 08/462,641

Art Unit: 1644

Filing Date: June 5, 1995

Examiner: T. Cunningham

Title: BIOSYNTHETIC BINDING PROTEINS FOR IMMUNO-TARGETING

PETITION FOR EXTENSION OF TIME

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

The following extension of time is requested. A Notice of Appeal was filed October 27, 1999.

- ___ One month to _____. The extension fee is
___ \$55 ___ \$110
- ___ Two months to _____. The extension fee is
___ \$190 ___ \$380
- ___ Three months to _____. The extension fee is
___ \$435 ___ \$870
- X Four months to April 27, 2000. The extension fee is
___ \$680 X \$1,360
- ___ Five months to _____. The extension fee is
___ \$925 ___ \$1,850

Atty Dkt No. 0926.006
USSN: 08/462,641
PATENT

COPY

- ___ A (one) (two) month Petition for Extension of Time was previously filed with the appropriate fee on _____.
___ The shortened statutory period has been reset by an Advisory Action dated _____.
X A check to cover the \$ 1,360 extension fee is attached.
___ Charge \$ to Deposit Account No. 18-1648.

The Commissioner is hereby authorized to charge any fees under 37 C.F.R. §§ 1.16 and 1.17 which may be required by this paper, or to credit any overpayment, to Deposit Account No. 18-1648.

Respectfully submitted,

Date: 26 April 2000

By: Gary R. Fabian
Gary R. Fabian, Ph.D.
Registration No. 33,875
Agent for Applicants

CHIRON CORPORATION
Intellectual Property - R440
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jc678 U.S. PTO
09/558741
04/26/00

4345

90-4153/1211

ROBINS & ASSOCIATES

90 MIDDLEFIELD ROAD 650-325-7812
MENLO PARK, CA 94025

DATE 4/26/00

PAY
TO THE
ORDER OF

ASSISTANT COMMISSIONER FOR PATENTS

\$ 1360-

Thirteen hundred sixty

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Details on back.

MID-PENINSULA BANK

100 S. Ellsworth Ave., San Mateo, California 94401
650-323-5150

FOR 08/462,641 2300-0926.02

Gail Wardwell

⑈004345⑈ ⑆121141534⑆0263697201⑈

COPY

ATTORNEY DOCKET 2300-0926.20 DATE April 26, 2000
0926.006

Petition for Extension of Time; \$1360

PAPER: _____

INVENTOR: HUSTON et al.

SERIAL NO.: 08/462,641

FILING DATE: June 5, 1995

RECEIVED BY THE UNITED STATES PATENT AND TRADEMARK OFFICE

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PATRICIA K. HINGES
Typed or Printed Name of Person Mailing Paper or Fee

Patricia K. Hinges
Signature of Person Mailing Paper or Fee



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

James S. HUSTON et al.

Serial No.: CON of 08/462,641

Art Unit: Unassigned

Filing Date: on even date

Examiner: Unassigned

Title: BIOSYNTHETIC BINDING PROTEINS FOR IMMUNO-TARGETING

**BLANKET PETITION FOR EXTENSION OF TIME AND
AUTHORIZATION TO CHARGE OR CREDIT DEPOSIT ACCOUNT**

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

If a paper is untimely filed in this application or any file wrapper continuation application derived therefrom by applicant(s) or her/his/their representative, the Commissioner is hereby petitioned under 37 C.F.R. § 1.136(a) for the minimum extension of time required to make said paper timely. In the event a petition for extension of time is made under the provisions of this paragraph, the Commissioner is hereby requested to charge any fee required under 37 C.F.R. § 1.17(a)-(d) to Deposit Account No. 18-1648. This, however, is not authorization to pay the issue fee.

If a paper is concurrently or subsequently filed in this application or any file wrapper continuation application derived therefrom by applicant(s) or her/his/their representative and a fee under 37 C.F.R. §§ 1.16-1.17 is required to effect any amendment, petition or other action requested in said paper, the Commissioner is hereby requested to charge any deficiency in said fee, or credit any overpayment of said fee, to Deposit Account No. 18-1648. This, however, is not authorization to pay the issue fee.

Respectfully submitted,

Date: 26 April 2000

By: Gary R. Fabian
Gary R. Fabian, Ph.D.
Registration No. 33,875
Agent for Applicants

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